

08 CV 03076

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Attorneys for Defendant Merck & Co., Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

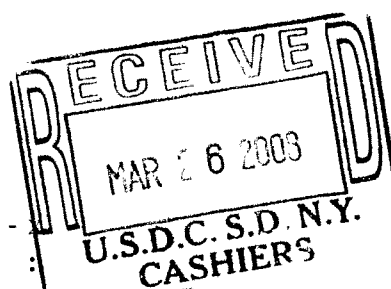
LORI DUFRESNE, Individually and as personal
representative for, FRANK SPENCER, deceased,

Plaintiffs,

-against-

MERCK & CO., INC.,

Defendant.



No.: _____

Rule 7.1 Statement

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure and to enable judges and magistrate judges of the court to evaluate possible disqualification or recusal, the undersigned attorneys of record for Defendant Merck & Co., Inc. certify that it has no parent companies and is not aware of any beneficial owner of more than ten percent of its Common Stock.

Dated: New York, New York
March 25, 2008

Respectfully submitted,

HUGHES HUBBARD & REED LLP

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